

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

RUSSELL ALLEN MURDOCK,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 05-6098-CV-W-HFS
)	
U.S. BANK NATIONAL ASSOCIATION,)	
et al.,)	
Defendant.)	

ORDER

Before the court is the petition of plaintiff, appearing pro se, for a temporary injunction (“TRO”). The basis of this dispute apparently stems from an action filed against plaintiff in the Circuit Court of Clinton County, Missouri by the U.S. Bank National Association. (Cause No. CV1005-115AC). In the complaint in that action, U.S. Bank alleged that after purchasing plaintiff’s property at a foreclosure sale, plaintiff continued to unlawfully hold onto the property.

While difficult to decipher, it appears that plaintiff now seeks relief in this court by means of a temporary restraining order.¹ In considering whether to grant a TRO, four factors must be weighed: (1) whether there is a substantial probability movant will succeed at trial; (2) whether the moving party will suffer irreparable injury absent the injunction; (3) the harm to other interested parties if the relief is granted; and (4) the effect on the public interest. Dataphase Systems, Inc. V.

¹Plaintiff indiscriminately cites case law and statutes irrelevant to this case, i.e., 6th amendment right to confront his accuser, international law, and the Civil Rights Act of 1871.

It is noted that on June 13, 2005, plaintiff, appearing pro se, filed a motion in this court seeking leave to proceed in forma pauperis, but the financial affidavit submitted in support of the motion, similar to the instant pleadings, failed to satisfy the requirements. (Case No. 05-6062).

CL Systems, Inc., 640 F.2d 109, 112 (8th Cir. 1981). As previously noted, plaintiff's filings make it impossible to rule on the relief sought.

Accordingly, it is hereby

ORDERED that plaintiff's petition for a temporary restraining order (ECF doc. 2) is DENIED.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

October 12, 2005

Kansas City, Missouri